

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CARMEN IOVINO,
Plaintiff(s),

V.

AM TRUST FINANCIAL SERVICES, INC.,
et al.,

Defendant(s).

Case No. 2:22-cv-01974-APG-NJK

Order

[Docket No. 98]

Pending before the Court is a motion to compel production of an unredacted version of the investigation claims file. Docket No. 98.¹

“Discovery is supposed to proceed with minimal involvement of the Court.” *F.D.I.C. v. Butcher*, 116 F.R.D. 196, 203 (E.D. Tenn. 1986). Counsel must strive to be cooperative, practical, and sensible, and should seek judicial intervention “only in extraordinary situations that implicate truly significant interests.” *In re Convergent Techs. Securities Litig.*, 108 F.R.D. 328, 331 (N.D. Cal. 1985). To that end, discovery motions may be filed only after a robust conferral process, which requires personal consultation in the form of in-person, telephonic, or video discussions. See *Cardoza v. Bloomin' Brands, Inc.*, 141 F. Supp. 3d 1137, 1145 (D. Nev. 2015); see also Local Rule IA 1-3(f). The fact that a party seeks emergency relief does not obviate the requirement to confer. “To the contrary, a good faith and thorough attempt to resolve the dispute without Court intervention is even more critical when time is of the essence.” *Cardoza*, 141 F. Supp. 3d at 1142.

¹ The motion is accompanied by an omnibus document with hundreds of pages of various exhibits. Docket No. 98-2. Counsel must file each exhibit separately moving forward. *See Local Rule IC 2-2(a)(3)(A)* (exhibits must be filed “as separate files”).

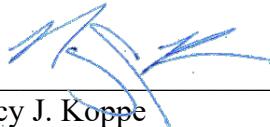
The caption of the motion includes the wrong case number information. *Compare* Docket No. 98 at 1 *with* Docket No. 80 (“All further documents must bear the correct case number **2:22-cv-01974-APG-NJK**” (bolding in original, underlining added)). Counsel must include the correct case information moving forward.

1 The instant motion indicates that a meet-and-confer was held on March 7, 2024, but no
2 meaningful details are provided. *See* Docket No. 98 at 4; *but see ShuffleMaster, Inc. v. Progressive*
3 *Games, Inc.*, 170 F.R.D. 166, 171 (D. Nev. 1996). On April 1, 2024, the claims file was produced
4 in redacted form. *See id.* at 5. It does not appear that further conferral efforts were made in relation
5 to those redactions. *But see McNamara v. Hallinan*, 2019 WL 918984, at *2 n.3 (D. Nev. Feb. 25,
6 2019) (further telephonic conference is required when circumstances have changed regarding the
7 issues in dispute).

8 Accordingly, the motion to compel is **DENIED** without prejudice.

9 IT IS SO ORDERED.

10 Dated: April 26, 2024



11 Nancy J. Koppe
12 United States Magistrate Judge

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28